

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

CHARLES HERD §  
VS. § CIVIL ACTION NO. 1:20-CV-495  
WARDEN, FCI BEAUMONT §

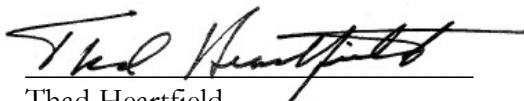
MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION

Petitioner Charles Herd, a prisoner confined at the Federal Correctional Institution in Beaumont, Texas, proceeding *pro se*, filed this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the United States Magistrate Judge for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends granting Respondent's Motion for Summary Judgment and dismissing the Petition without prejudice.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. Proper notice was given to Petitioner at his last known address. *See* FED. R. CIV. P. 5(b)(2)(C). No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

**SIGNED** this the **7** day of **March, 2022**.

  
Thad Heartfield  
United States District Judge

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the Report of the magistrate judge (Doc. #13) is **ADOPTED**. Respondent's Motion for Summary Judgment (Doc. #6) is **GRANTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.